

COMPLIANCE REVIEW

PRESTON YOUTH CORRECTIONAL FACILITY



Prepared by:

California Department of Corrections and Rehabilitation
Office of Audits and Compliance

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WARDS WITH DISABILITIES PROGRAM

Temporary Departmental Order 06-71 and Wards with Disabilities Program Remedial Plan, Sections V, VI and VIII.

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EXECUTIVE SUMMARY

The Office of Audits and Compliance, Compliance/Peer Review Branch (CPRB) reviewed the Division of Juvenile Justice (DJJ), Temporary Departmental Order (TDO) 06-71 and the Wards with Disabilities Program (WDP) Remedial Plan, Sections V, VI, and VIII to determine whether Preston Youth Correctional Facility (PYCF) is in compliance with the policies and identified areas outlined in the WDP Remedial Plan.

The review period for the WDP was July 2008 through June 2009, with fieldwork conducted on September 1 through September 2, 2009. During this period, the CPRB reviewed Unified Health Records (UHR), Juvenile Parole Board (JPB) and Juvenile Justice Administrative Committee (JJAC) agendas, and Special Education files. In addition, the CPRB observed JPB hearings and interviewed staff.

The CPRB review team concludes that PYCF is in substantial compliance (SC) with the policies and identified areas outlined in the WDP Remedial Plan, Sections V, VI, and VIII, action items 8, 35, and 41.

BACKGROUND

On November 19, 2004, a Consent Decree was entered into in the case of *Farrell v. Allen*. The Consent Decree required the defendant, now the DJJ, to file Remedial Plans in all areas of deficiency identified by the Court appointed experts by January 31, 2005. In January 2005, in response to the Consent Decree, DJJ made the decision to reform California's juvenile system into a rehabilitative model based on a therapeutic environment.

The DJJ has established a Farrell Task Force Team to develop, implement, and measure compliance within the scope of the six Remedial Plans. As part of the Farrell Task Force, the CPRB is charged with assessing compliance and if applicable, recommending corrective actions related to the findings.

The CPRB will be reviewing specific action items that make up the six Remedial Plans. The action items that have been selected for review are based on risk to the Department. These issues include, but are not limited to, 18 items with a time sensitive date and key indicators. The review will be evaluated using a compliance rating system. Each action item will be evaluated by whether it is in SC 85 percent and above, partial compliance (PC) 84 percent to 50 percent, and noncompliance (NC) 49 percent and below. Items that result in a "yes" or "no" compliance level will be rated as SC or NC. Items that cannot be rated will be categorized as not ratable (NR). Due to the diversity and occasional abstract content of the action items, a numeric rating system cannot always be utilized. As a result, a narrative rating system will be used to evaluate the level of compliance.

The specific objectives of the review were to verify whether:

- The OHU staff implements the action plan for youth with mobility or other physical impairments to return to their facility as soon as the medical issues are resolved;
- The OHU action plan includes ensuring the youth has accommodations for the disability;
- The Superintendent is ensuring that due process and equal access occurs for youths with disabilities that require accommodations during JJAC and JPB hearings;
- Determination of a disability is made;
- The identification of WDP youth within youth correctional facilities is continuous;
- The identification of WDP youth is documented on self referrals, staff referrals, and special case conferences.

The CPRB determined whether the objectives were met by reviewing:

- WDP Remedial Plan Court appointed expert's report, dated March 30, 2009;

Action Item 8

- Information obtained from interviewing OHU staff;
- WDP Remedial Plan Section V, page 14;
- TDO 06-71, page 26;
- Electronic mail correspondence from the Director of Health Care Services dated July 17, 2008;
- Documentation regarding the action plan from the OHU.

Action Item 35

- WDP Remedial Plan, Section VIII, page 52;
- TDO 06-71, page 78;
- WDP Board Information Form;
- Information obtained from interviewing the Parole Agent III;
- Information obtained from interviewing the JPB and JJAC members;
- JPB and JJAC hearing observations.

Action Item 41

- WDP Remedial Plan Court appointed expert's report, dated March 30, 2009;
- WDP Remedial Plan, Section VI, pages 19-22;
- Procedures for the WDP;
- TDO 06-71, pages 36-37;
- Tracking form from the WDP Coordinator;
- Individualized Change Plan from Special Case Conferences;
- Information obtained from interviewing the WDP Coordinator or assistant;

- Interview with the WDP Court appointed expert;
- Amendments to the Americans with Disabilities Act (ADA) 2008 curriculum;
- Student Consultation Team training;
- 504 Plan training documentation;
- Director of Health Care Services electronic mail correspondence;
- ADA screenings and assessments;
- Disability Referral/Evaluation forms (DREF); and
- Ward Information Network.

CPRB Remedial Site Compliance Report

Item	Review Method and Action Items	SC	PC	NC	NR
8	<p>Action Item:</p> <p>In conjunction with the Health Care Transition Team, Medical Expert and Disabilities Experts prepare an action plan for wards with mobility or other physical impairments to integrate with the general population as soon as medical issues are resolved, including determining the most physically accessible locations available and making the barrier removal improvements required on a timely basis.</p> <p>Methodology:</p> <p>Interviewed the OHU staff.</p> <p>Reviewed electronic mail correspondence from the Director of Health Care Services, dated July 17, 2008.</p> <p>Reviewed the DJJ's WDP action plan.</p> <p>Reviewed the UHRs.</p> <p>Criteria:</p> <p>WDP Remedial Plan, Section V, page 14.</p> <p>TDO 06-71, page 26.</p>	X			

CPRB Remedial Site Compliance Report

Item	Review Method and Action Items	SC	PC	NC	NR
35	<p>Action Item:</p> <p>The superintendent shall be responsible for ensuring that due process and equal access occurs for wards with disabilities who require accommodations during institutional JPB hearings.</p> <p>Methodology:</p> <p>Reviewed the JPB and JJAC agendas.</p> <p>Reviewed 10 field files.</p> <p>Criteria:</p> <p>WDP Remedial Plan, Section VIII, page 52.</p> <p>TDO 06-71, page 78.</p>	X			

CPRB Remedial Site Compliance Report

Item	Review Method and Action Items	SC	PC	NC	NR
41	<p>Action Item:</p> <p>Efforts to identify wards with disabilities within youth correctional facilities shall be continuous, and shall include self-referrals, staff-referrals, facility ADA screening and assessment, and special case conferences.</p> <p>Methodology:</p> <p>Reviewed the WDP Remedial Plan, Section VI.</p> <p>Reviewed the TDO 06-71, pages 36-37.</p> <p>Interviewed the WDP Coordinator.</p> <p>Reviewed the DREFs.</p> <p>Reviewed the WDP list of youths with disabilities.</p> <p>Reviewed the Special Education files.</p> <p>Criteria:</p> <p>WDP Remedial Plan, Section VI, pages 19-22.</p> <p>TDO 06-71, pages 36-37.</p>	X			

Review of the Wards with Disabilities Program

PRESTON YOUTH CORRECTIONAL FACILITY

GLOSSARY

ADA	Americans with Disabilities
CPRB	Compliance/Peer Review Branch
DJJ	Division of Juvenile Justice
DREF	Disability Referral/Evaluation Form
JJAC	Juvenile Justice Administrative Committee
JPB	Juvenile Parole Board
NC	Noncompliance
NR	Not Ratable
OHU	Outpatient Housing Unit
PC	Partial Compliance
PYCF	Preston Youth Correctional Facility
SC	Substantial Compliance
TDO	Temporary Departmental Order
UHR	Unified Health Record
WDP	Ward with Disabilities Program